

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BILLY JOE CAMPBELL

V.

UNITED STATES OF AMERICA

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CASE NO. 4:11-CV-711
(Judge Schneider/Judge Mazzant)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 3, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss for Lack of Personal Jurisdiction Under Rule 12(b)(2), for Insufficient Service of Process Under Rule 12(b)(5), and for Lack of Subject Matter Jurisdiction Under Rule 12(b)(1) (Dkt. No. 7) be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss for Lack of Personal Jurisdiction Under Rule 12(b)(2), for Insufficient Service of Process Under Rule 12(b)(5), and for

Lack of Subject Matter Jurisdiction Under Rule 12(b)(1) (Dkt. No. 7) is **GRANTED** and Plaintiff's case is **DISMISSED** without prejudice.

It is SO ORDERED.

SIGNED this 7th day of March, 2012.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE